

## **REMARKS**

Following entry of the foregoing amendments, claims 23 and 25 to 34 will be pending in this patent application. Claims 24 and 35 to 38 have been canceled herein, without prejudice.

Applicants respectfully request reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

### **Claim Objections**

**A.** Claim 24 has been objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claim 23. The Office asserts that since claims 23 and 24 differ only in their preambles, and have the same method steps, the claims are substantial duplicates. Without conceding the correctness of the assertion, and to advance prosecution, claim 24 has been canceled, obviating the objection. Applicants accordingly, respectfully request withdrawal thereof.

**B.** Claim 35 has been objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claim 25. The Office asserts that since claims 35 and 25 differ only in their preambles, and have the same method steps, the claims are substantial duplicates. Without conceding the correctness of the assertion, and to advance prosecution, claims 35 to 38 have been canceled, obviating the objection. Applicants accordingly, respectfully request withdrawal thereof.

### **Alleged Indefiniteness**

Claims 23 to 38 have been rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. The Office asserts that claims 23 and 24 are confusing because, since the claims have the same method steps and differ only in their preambles, it is “not seen how the same method can enhance circulating half-life without enhancing tumoricidal activity, or the converse.”<sup>1</sup> Similarly, the Office asserts that “it is not seen how the method of claim 25 that has the same steps as the method of claim 35 can treat a tumor and not treat and inhibit

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<sup>1</sup> Office action dated May 30, 2007, page 4.

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**PATENT  
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37 CFR § 1.116**

metastases...or the converse.”<sup>2</sup> Without conceding the correctness of the assertions, and to advance prosecution, claims 24 and 35 to 38 have been canceled, obviating the rejection. Applicants accordingly, respectfully request withdrawal thereof.

### **Conclusion**

Applicants believe that the foregoing constitutes a complete and full response to the official action of record. Accordingly, an early and favorable action is respectfully requested.

Respectfully submitted,

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<sup>2</sup> *Id.*